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UNCLAS SECTION 01 OF 02 PHNOM PENH 000637

SENSITIVE
SIPDIS

STATE FOR EAP/MLS, D, G/TIP
BANGKOK FOR ADAM ZERBINOPOULOUS PLEASE PASS TO G/TIP
AMBASSADOR CDEBACA

E.O. 12958: N/A
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SUBJECT: CAMBODIA: TIP ACTION PLAN DELIVERED

REF: STATE 87525

SENSITIVE BUT UNCLASSIFIED

¶1. (SBU) SUMMARY: Laying the groundwork for G/TIP Ambassador Luis CdeBaca's upcoming visit, Pol/Econ Chief delivered the 2009 TIP Action Plan for Cambodia to the Ministry of Justice (MOJ) and Ministry of Interior (MOI) on August 25 and 26. Contacts welcomed the information and shared recent steps taken in their respective Ministries to improve anti-trafficking policy and enforcement. Present at the meeting with MOI was Lieutenant General Kang Sokhorn, the new Deputy Commissioner General of the National Police, who is in charge of the police response to trafficking and who reported that police had made 100 TIP arrests in the first six months of 2009. END SUMMARY.

Ministry of Justice

¶2. (SBU) Pol/Econ Chief met Ministry of Justice Secretary of State Chan Sotheavy on August 25 to discuss the 2009 TIP Action Plan for Cambodia. Chan stated her understanding of the emphasis on obtaining more prosecutions and convictions of trafficking offenders. She described MOJ's concentration on obtaining from each province accurate numbers of trafficking cases, and how many of those cases resulted in convictions. Chan said the Minister of Justice had advised MOJ's criminal department to examine carefully whether the number of cases received from police is increasing, and how courts are responding to the potentially increased workload. She also said that the Minister of Justice is a member of the Supreme Council of the Magistracy (SCM), and will pass the recommendations in the Action Plan to the SCM. (NOTE: The nine-member Council chaired by the King has administrative authority over the courts. END NOTE.)

¶3. (SBU) Pol/Econ Chief stressed that it's not enough to focus only on statistics, but that decisive action on the recommendations will be needed for Cambodia to receive a positive interim assessment. He also told Chan that Ambassador CdeBaca will be particularly interested in the Minister's role on the SCM, and what the SCM is doing to help implement the Action Plan, particularly the first point on increasing the number of prosecutions and convictions.

Ministry of Interior

¶4. (SBU) The following day, Pol/Econ Chief met Ministry of Interior Secretary of State Chou Bun Eng and Deputy Commissioner General of the National Police Kang Sokhorn. Chou has high-level authority for anti-trafficking policy in Cambodia, as a direct appointee of Deputy Prime Minister and Minister of Interior Sar Kheng (DPM), and as the Chair of the

Secretariat for the High-Level Working Group to combat trafficking. Chou welcome the Action Plan, stating it was very helpful to know exactly what the U.S. goals are for Cambodia. While pressing the USG to clarify further the G/TIP criteria as they apply to Cambodia, she noted that it was already five months into the reporting period.

15. (SBU) Chou acknowledged the Tier 2 Watchlist rating for Cambodia, and stated her belief that it was in part due to the Government's failure to report accurately on the work being done. She described a joint initiative by the DPM and Minister of Justice to review arrest and prosecution reports from 19 provinces, and their decision to continue that effort after finding several gaps in the reports. She stated that an inter-ministerial working group has been formed to synchronize and improve the efforts of the MOI and MOJ in working together, and this working group is expected to meet again in December 2009 to review the progress of TIP cases from arrest, to prosecution, to conviction in each of the 19 provinces. (NOTE: According to MOI, there are five provinces that reported no TIP arrests in 2008 or yet in 2009, which is why the effort does not include all 24 Cambodian provinces. END NOTE.)

16. (SBU) The Deputy Commissioner General of the National Police, Lieutenant General Kang Sokhorn told Pol/Econ Chief that the National Police has begun a pilot effort to place a Ministry-level police officer from Phnom Penh with the provincial (or municipal) police in three high-focus areas: Siem Reap, Sihanoukville, and Phnom Penh City. They expect that the presence of an officer from the national level will assist those offices in coordinating rescue operations with

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the National Anti-Human Trafficking police, and at the Ministry level. Lt. General Kang added that the Cambodian police have made 300 TIP-related arrests in the first six months of 2009. Of those, 100 are considered TIP-exclusive arrests - arrests made under the 12 Articles of the 2008 anti-TIP law that G/TIP acknowledges as TIP. Of the 100 arrests, one case has been fully prosecuted, resulting in a conviction. The remaining cases are still in the investigation stage at the courts.

COMMENT

17. (SBU) Our working level contacts seemed receptive to the information in the Action Plan, though they regretted it has come so late into the reporting period. MOI Secretary of State Chou was the most realistic in her assessment, stating that although a lot of time has already passed, they understood the importance of the recommendations and will continue to focus strongly on implementation of them. The visit of Ambassador CdeBaca next week will be a perfect opportunity to underscore the Action Plan message to high-level interlocutors at the MOI, MOJ, and the Ministry of Social Affairs.

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